

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

MARQUIS TILMAN

PLAINTIFF

VERSUS

CIVIL ACTION NO.: 2:20-cv-10-KS-MTP

**CLARKE COUNTY, SHERIFF TODD
KEMP, IN HIS INDIVIDUAL CAPACITY,
DEPUTY BENJAMIN IVY, IN HIS INDIVIDUAL
CAPACITY, AND DEPUTY ANTHONY CHANCELOR,
DEPUTY RYAN EVANS, DEPUTY AUSTIN TOUCHSTONE,
DEPUTY JUSTIN RAWSON, AND DEPUTY BILLY
LEWIS, IN THEIR INDIVIDUAL CAPACITIES
AND/OR OTHER EMPLOYEES, INCLUDING
SUPERVISORY OFFICIALS WHOSE IDENTITIES
ARE CURRENTLY UNKNOWN**

DEFENDANTS

ORDER

Presently pending before the Court is Defendants Todd Kemp, Benjamin Ivy, Anthony Chancelor, Justin Rawson, and Billy Lewis' Motion for Stay of Discovery [46]. In the Motion, Defendants assert, *inter alia*, that the individual defendants are entitled to qualified immunity. Rule 16(b)(3)(B) of the Local Uniform Civil Rules provides as follows:

Filing a motion to compel arbitration, or a motion asserting an immunity defense or jurisdictional defense stays the attorney conference and disclosure requirements and all discovery, pending the court's ruling on the motion, including any appeal. Whether to permit discovery on issues related to the motion and whether to permit any portion of the case to proceed pending resolution of the motion are decisions committed to the discretion of the court, upon a motion by any party seeking relief.

IT IS, THEREFORE, ORDERED that all discovery and disclosure requirements are stayed pursuant to the Local Rules. In addition, all other case deadlines set forth in the Amended Case Management Order [40] are vacated and set aside.

IT IS FURTHER ORDERED that counsel for Plaintiff shall promptly notify the Magistrate Judge of a decision on the Second Motion for Judgment on the Pleadings [44] and

shall submit a proposed order lifting the stay, if appropriate. Within fourteen (14) days of entry of the order lifting the stay, the parties shall confer in accordance with L.U. Civ. R. 26(c), and all other deadlines will be determined accordingly. A telephonic case management conference shall be rescheduled promptly after lifting of the stay. The parties should notify the Court by letter if within thirty (30) days of the lifting of the stay they have not received notice of the case management conference.

SO ORDERED this the 8th day of October, 2020.

s/Michael T. Parker
UNITED STATES MAGISTRATE JUDGE